

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Brian Sullivan,

Plaintiff

v.

United Recovery Systems, L.P.,

Defendant

FILED ELECTRONICALLY

COMPLAINT

I. Introduction

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“the Act”) which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

II. Jurisdiction and Venue

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

III. Parties

4. Plaintiff, Brian Sullivan, is a natural person residing at 634 Hudson Street, Hawley, PA 18428.

5. Defendant, United Recovery Systems, L.P., (“the Collector”) is a limited partnership engaged in 5800 North Course Drive, Houston, TX 77072 and is a “debt collector” as defined by the Act, 15 U.S.C. § 1692a(6).

IV. Statement of Claim

6. On or before November 8, 2010, the Collector began attempting to collect an alleged account (“the Account”) from Plaintiff.

7. The Account is a “debt” as that term is defined by the Act, 15 U.S.C. § 1692a(5).

8. The collector regularly uses the telephone to attempt to collect consumer debts alleged to be due another.

9. On or around November 8, 2010, the Collector caused a call to be placed to Plaintiff’s place of employment.

10. During this call the Collector left a message for Plaintiff.

11. 15 U.S.C. § 1692e(11) requires a debt collector to disclose that the communication is from a debt collector in each communication with a consumer.

12. In the message, the Collector failed to disclose that the call was from a debt collector.

13. 15 U.S.C. § 1692d(6) requires a debt collector to provide a meaningful disclosure of identity in each communication with a consumer.

14. In the message, the Collector failed to provide this meaningful disclosure because it did not state the name of the Collector or the purpose of the call.

15. The call and message were attempts to collect the Account.

16. Defendant violated the Act, 15 U.S.C. § 1692, subsections d(6) and e(11).

WHEREFORE, Plaintiff demands judgment against Defendant for damages, costs, attorney's fees, and such other and further relief as the Court deems just and proper.

V. Demand for Jury Trial

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully Submitted,

s/ Kristin Sabatini

Kristin Sabatini
Bar Number 200135
Attorney for Plaintiff
Sabatini Law Firm, LLC
216 N. Blakely St.
Dunmore, PA 18512

Phone (570) 341-9000
Facsimile (570) 504-2769
Email ksecf@bankruptcypa.com

**Verification of Complaint and Certification
by Plaintiff Brian Sullivan**

Plaintiff, Brian Sullivan, being duly sworn according to law, deposes as follows:

1. I am a plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in the cost of litigation to the Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

I declare under penalty of perjury that the foregoing is true and correct.

28 U.S.C. § 1746(2).

Executed on May 10, 2011.

s/ Brian Sullivan
Brian Sullivan
Plaintiff